

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

CAO, *et al.*

Plaintiffs,

v.

WAL-MART STORES EAST, LP, *et al.*,

Defendants.

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Civil Action No. 16-1971 (FLW)

ORDER

THIS MATTER having been opened to the Court by the Magistrate Judge’s Report and Recommendation, dated October 15, 2020, recommending the dismissal of plaintiffs Kathy and Robinson Cao’s (“Plaintiffs”) claims with prejudice for failure to comply with the Court’s orders or otherwise prosecute this matter; it further appearing that the Magistrate Judge, after weighing the factors set forth in *Poulis v. State Farm Casualty Co.*, 747 F.2d 863, 868 (3d Cir. 1984), found that dismissal is warranted because “after several years of litigation, Plaintiffs have failed to take the steps necessary to move this case forward and allow it to come to a resolution. Despite being given every opportunity to litigate their claims, Plaintiffs have elected to not follow the Court’s orders and effectively participate in the case,” *see* Report and Recommendation, October 30, 2020, at 7; it appearing that this Court’s independent assessment of the *Poulis* factors also supports dismissing Plaintiffs’ claims; it further appearing that Plaintiffs have not objected to the Magistrate Judge’s recommendations; accordingly, for the reasons set forth in the Magistrate Judge’s Report and Recommendation,

IT IS on this 30th day October, 2020,

ORDERED that the Magistrate Judge’s Report and Recommendation dated October 15, 2020, is hereby **ADOPTED**; and it is further

ORDERED that Plaintiffs' Complaint is dismissed with prejudice; and it is further

ORDERED that the Clerk of the Court is directed to close this case.

/s/ Freda L. Wolfson

Freda L. Wolfson

U.S. Chief District Judge